



07-09-01

Express Mail No.: EL 451 597 172 US

AF-#1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

JUL 13 2001

Application No.: 09/426,792

Group Art Unit: 1614

Filed: October 22, 1999

Examiner: Spivak, P.

TECH CENTER 1600/2900

For: METHODS FOR REDUCING
MORTALITY AND MORBIDITY BY
POSTOPERATIVE ADMINISTRATION
OF A PHARMACOLOGIC
CARDIOVASCULAR AGENT

Attorney Docket No.: 9114-004-999

#11
JRP
7/23/01

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Assistant Commissioner for Patents
Box AF
Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated January 4, 2001 of the Primary Examiner finally rejecting claims 1-6, 13-16, and 49-51 of the above-identified application.

The item(s) checked below are appropriate:

1. ☒ An extension of time for responding to the final rejection for 3 month(s):
☐ was filed on
☒ is submitted herewith.
2. ☐ A timely response to the final rejection has been filed.
3. ☐ A fee in the amount of \$310.00 is:
☐ Required.
☐ Not required (Fee paid in prior appeal).
4. ☒ Applicant has qualified for the 50% reduction in fee for an independent inventor, non profit organization or small business concern and a fee in the amount of \$155.00 is:
☒ Required.
☐ Not required (Fee paid in prior appeal).
5. ☒ Please charge the required fee, if any, to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

Respectfully submitted,

Date July 5, 2001

42,983

Rahul Pathak (Reg. No.)
For: Samuel B. Abrams (Reg. No. 30,605)
PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, New York 10036-2711
(212) 790-9090

07/12/2001 SEENDOB1 00000003 161150 09426792
01 708213 155.00 CH

650849-7607

7/30/01